3.5 LAND USE AND RECREATION

3.5.1 Introduction

The Shore terminal is located on sovereign lands under the jurisdiction of the California State Lands Commission (CSLC) in a historically industrial section of the city of Martinez, within Contra Costa County, on the south side shoreline of the Carquinez Strait, east of the Benicia-Martinez Bridge (Highway 680).

Shore Terminals, LLC., a privately owned company, leases the 5.04-acre, publicly owned site for the Shore terminal from the CSLC. Shore Terminals LLC. also owns and operates a 229.96-acre tank storage facility south and onshore of the marine terminal, located at 2081 Waterfront Road. This tank storage facility is located on lands under the jurisdiction of the city of Martinez. The location of the Shore terminal and surrounding area are illustrated in Figures 1.1-1 and 1.1-2 of the Project Description.

This section details the existing land use and recreation conditions around the Shore terminal site, outlines applicable land use plans and policies, and summarizes potential land use- and recreation-related impacts and mitigation measures associated with the lease renewal.

3.5.2 Existing Conditions

3.5.2.1 Land Use

As detailed in the Project Description, the study area for the evaluation of land use and recreational resources is organized to allow the evaluation of potential project-related oil spill impacts. The local setting includes the area encompassing the Carquinez Strait and Suisun Bay, from the Interstate 80 (I-80) Bridge to the western edge of the legally defined Delta. The regional setting includes the San Francisco Bay and Pacific coast, from Alaska to the Los Angeles refineries. For a complete description and analysis of the probability of project-related oil spills, see Section 3.1 (Operational Safety/Risk of Accidents).

As stated above, the Shore terminal is located on sovereign lands under the jurisdiction of the CLSC. Pursuant to the McAteer-Petris Act of 1965, the Bay Conservation and Development Commission (BCDC) has regulatory jurisdiction over land use activities within the first 100 feet from shore of the San Francisco Bay, which also gives it jurisdiction over the Shore terminal. According to the San Francisco Bay Plan, which is produced by the BCDC to guide jurisdictional development activities, the Shore terminal site is designated for Water-Related Industry. The Shore terminal is consistent with this use designation (BCDC 2002a).

The city of Martinez does not have jurisdiction over the Shore terminal, because it is located on state-owned lands. The city of Martinez General Plan designates (for planning purposes) the Shore terminal site for Industrial (I) use, consistent with

existing and surrounding uses. The General Plan also designates the lands surrounding the Shore terminal for I use – from Highway 680 to the eastern city limits and south past Waterfront Road.

The city of Martinez has jurisdiction over the onshore tank storage lands owned by Shore Terminals. These lands have a General Plan designation of Industrial (I) and a zoning designation of Heavy Industrial (HI), with an overlay Environmental Conservation District (ECD). Figure 3.5-1 provides city of Martinez zoning designations. Typically, the HI zoning would allow the tank storage facilities by right, but the ECD overlay zone requires a conditional use permit (CUP) if significant modifications are made. However, a CUP would not be required for the Shore terminal lease extension because it would not entail any change in operation or require any facility construction or demolition at the tank storage site (City of Martinez 2002).

Contra Costa County has jurisdiction for lands in the general vicinity of the Shore terminal, having a mixture of General Plan designations of HI and/or Open Space (Figure 3.5-1).

Existing Land Uses. Shore terminal is a heavy industrial facility not immediately surrounded by any other facilities. The lightly developed area is characterized by wildlife preserves, the Carquinez Strait shoreline, and several heavy industrial facilities. There are no sensitive land uses (such as hospitals, retirement communities, or schools) located near the Shore terminal. The nearest residential area is over 1.5 miles to the southwest, across Highway 680.

The following summarizes land uses that surround the project site.

- ***North.*** North of the Shore terminal is the Carquinez Strait and Suisun Bay, which provide industrial transport access, commercial and recreational water uses, and wildlife habitat. The Carquinez Strait provides transport access for cargo vessels, and supports sport fishing, commercial fishing, shellfish harvesting, recreational boating and kayaking, shoreline hiking, and other water-related recreational activities.
- ***South.*** South of the Shore terminal is the shoreline of the Carquinez Strait and open space marshlands owned by the State, south of which are tank storage facilities owned by Shore Terminals LLC. Further south is Waterfront Road and the Union Pacific Railroad line. South of Waterfront Road is the East Bay Regional Park District Waterbird Regional Preserve, a wetlands habitat bordered on the southwest by Highway 680.
- ***East.*** East of the Shore terminal is the shoreline of the Carquinez Strait and open space marshlands owned by the State. East of the tank storage facility owned by Shore Terminals LLC is the privately owned Copart Auto Salvage Yard (2071 Waterfront Road) and the Point Edith Wildlife Area managed by the California Department of Fish and Game. Further east along Waterfront Road is the Hanson Marine Facility (200 Waterfront Road) and Tesoro Petroleum oil refinery complex which has the capacity to process 168,000 gallons of petroleum per day.

3.5-1 – Contra Costa County Land Use Designations

- ***West.*** West of the Shore terminal is the shoreline of the Carquinez Strait and open space marshlands owned by the state. West of the tank storage facility owned by Shore Terminals LLC is open space marshland and further west is Highway 680 and the Benicia-Martinez Bridge. A mix of residential, commercial, recreational, open space, and industrial uses is located west of Highway 680.

3.5.2.2 Recreational Uses on Carquinez Strait and Suisun Bay

As a heavy industrial use, no recreational facilities or activities are directly associated with the Shore terminal or storage tanks. However, there are a number of recreational facilities (designated parks, wildlife preserves, open space, etc.) and recreational uses (nature viewing, hiking, boating, fishing, surfing, etc.) in the area including the Strait and Suisun Bay. These facilities are described by jurisdiction below.

Recreational activities in the project vicinity include:

1. Hiking, bird watching, or nature viewing in open space preserves near the site.
2. Water uses on the Carquinez Strait and Suisun Bay by recreational boat users and sport fishermen, including recreational marinas such as the Martinez Marina, Benicia Marina and Pier, and Glen Cove Marina. Also includes recreational fishing, where permitted.
3. Near shoreline picnicking and park activities associated with the East Bay Regional Park District preserves (Table 3.5-1) or city of Martinez facilities (see below), could also include hiking, wading, nature viewing, and other park-related activities.

Table 3.5-1
East Bay Regional Park District Regional Preserve

Preserve	Basic Description of Facility	Location	Distance to Terminal	Acreage
Waterbird Regional Preserve	Wildlife preserve and wetlands.	South of Waterfront Road, east of Highway 680	2 miles to the south	N/A
Martinez Regional Shoreline	Marshland preserve with hiking and horse trails, along with boating and multi-use field facilities.	City of Martinez shoreline	4 miles to the west	350+
Carquinez Strait Regional Shoreline	Marshland preserve with hiking and horse trails.	Along the Carquinez Scenic Drive between the City's of Crockett and Martinez	5 miles to the west	2,795
Point Pinole Regional Shoreline	Large marshland preserve with hiking and horse trails, and restrooms.	Giant Highway, Richmond	15 miles to the west	2,315
Browns Island	Native habitat with no facilities.	Island in the Sacramento Delta north of Pittsburg	15 miles to the east	595
Antioch/Oakley Regional Shoreline	Marshland preserve with hiking and horse trails.	Along the city of Antioch shoreline	20 miles to the east	N/A
San Pablo Regional Shoreline	Marshland habitat preserve with hiking and horse trails.	San Pablo Point	25 miles to the west	N/A

Bay Conservation and Development Commission

BCDC controls a trail easement to the east of the shore marine terminal, which provides access to the open space areas to the south and west of the shore marine terminal.

California Department of Fish and Game

The California Department of Fish and Game (CDFG) maintains the 760-acre Point Edith Wildlife Area located east of the site, across of the Pacheco Flood Control channel (CDFG 2002). CDFG also manages shoreline marshlands onshore of the marine terminal.

East Bay Regional Park District

The East Bay Regional Park District (EBRPD) manages several open space preserves near the project site and on the shoreline of the Carquinez Strait and Bay (EBRPD 2002). Table 3.5-2 gives a brief summary of these preserves, and their locations relative to the Shore terminal.

City of Martinez

The city of Martinez maintains 13 parks, ranging in size from 1 to 150 acres, although none are located immediately adjacent to the project site. Of these, Waterfront Park, located at North Court Street via Ferry Street Four is proximate to the shoreline. Waterfront Park is 150 acres, is comprised of multiple playing fields and picnic areas, and is 4 miles from the Shore facility.

The city of Martinez also operates the Martinez Marina in the Martinez Regional Shoreline preserve. The marina is the launching area for many of the recreational boats and sport fishermen that recreate near the Shore terminal. The marina also offers a fishing pier, horse arena, and multi-use field complex.

3.5.2.3 Recreational Uses in San Francisco Bay and San Pablo Bay

This section describes the land use and recreation setting within the San Francisco Bay and San Pablo Bay for the evaluation of the risks associated with oil spills from vessels that service the Shore terminal. The San Francisco and San Pablo Bays contain a variety of shoreline-related recreational opportunities. Major recreational park areas and sensitive land uses (including wildlife reserves/refuges) in the San Francisco and San Pablo Bay areas are listed in Table 3.5-2. The information is derived from the San Francisco Bay Plan (San Francisco BCDC) and EBRPD's 1997 Master Plan. In addition, there are approximately 95 shoreline parks, recreation, and wildlife areas in San Francisco Bay per the 1997 San Francisco Bay Shoreline Guide.

Table 3.5-2
Major Shoreline Recreational Areas, San Francisco and San Pablo Bays

Bay/Shoreline Parks	
John F. McInnis County Park	Keil Cove-Bluff Point Park *
Point Pinole Regional Shoreline	Corte Madera Shoreline Park *
Neils Island	Point San Quentin
Pinole-Hercules Shoreline Park	Point San Pedro
Wilson Point Beach and Park	Point Isabel Regional Shoreline
Richmond Sanitary Landfill	San Leandro Bay Regional Shoreline
George Miller Jr. Regional Park	Robert W. Crown Memorial State Beach
Point San Pablo	Oyster Bay Regional Shoreline *
Point Molate Beach	San Bruno Mountain Regional Park *
Miller-Knox Regional Shoreline	Brisbane Aquatic Park *
Presidio	Bay View Park
Golden Gate National Recreation Area	Candlestick Point Shoreline Park *
Angel Island State Park	Coyote Point County Park
China Camp State Park	Bayside Park
Refuges/Preserves/Wildlife Areas	
Rat Rock	Castro Rocks
Petaluma Marsh	Red Rock
Skaggs Island	Brooks Island Regional Preserve
Tubbs Island	Mount Tamalpais Waterfowl Refuge
San Pablo Bay National Wildlife Refuge	Marin Islands
The Brothers	The Sisters
Emeryville Crescent Wildlife Area *	San Francisco Bay National Wildlife Refuge
*** Proposed Facility**	

Developed parks, recreational and sightseeing areas that provide access to the shoreline are found along the urbanized sections of San Francisco Bay, particularly along the waterfront areas of the San Francisco Peninsula. In addition, there are approximately 140 boat-launching ramps/marinas and associated facilities (including fishing piers) throughout the Bay. Extensive private boating (both sail and power) occurs throughout the Bay.

Undeveloped marsh areas are located to the south. The San Francisco Bay National Wildlife Refuge and Coyote Hills Regional Park at the southern end of the Bay provide opportunities for hiking and biking in selected areas and near the shore.

The northern end of San Pablo Bay is not as urbanized as the southern portions of the San Pablo Bay. Most of the shoreline along north San Pablo Bay and across the Bay from the project area consists of the San Pablo National Wildlife Refuge, where hiking and hunting activities are allowed. There are only a few boat ramps and fishing piers in this area.

3.5.2.4 Recreational Uses on the Outer Coast

This section describes the land use and recreation setting along the Pacific outer coast for the evaluation of the risks associated with oil spills from vessels that service the Shore terminal. The outer coast consists of a broad mix of land uses including undeveloped open coastal areas, wetlands, unique shoreline and coastal resource areas, and areas of concentrated development and urban uses. The conditions of the various uses range from pristine, undisturbed land areas to degraded coastal zones affected by urban development and industrial pollution. Details on outer coast recreational uses are contained within the EIRs for the Unocal Marine Terminal (Chambers Group 1994) and the GTC Gaviota Marine Terminal Projects (Aspen Environmental Group 1992) and are incorporated herein by reference. Information about recreation areas and public access points along the California coastline is also available in the most current edition of the California Coastal Access Guide (CCC 1981, revised spring 1991), and the California Coastal Resource Guide (CCC 1987), a companion to the California Coastal Access Guide.

Opportunities for recreation vary along California's 1,100 miles of shoreline. The coast contains a variety of features ranging from coastal bluffs and beaches to nearby mountains and forests offering a diversity of recreational opportunities for active and passive recreation. The more populated/urbanized areas tend to have more "developed" recreational opportunities, such as set trails with manicured vegetation, while the less urbanized areas and those in remote locations tend to have more natural settings with "undeveloped" recreational uses. Some of the more pristine areas have been designated as preserves or wilderness. Recreational activities include nature viewing, hiking, biking, and equestrian trails, with beaches providing a range of uses from picnicking, shore fishing, volleyball, windsurfing/sailing, and surfing. All along the outer coast are fishing piers and berthing and launching facilities for recreational boats; however, the greatest concentrations of these facilities are found in the urbanized areas.

3.5.2.5 Regulations and Policies

A summary of applicable land use plans, policies, and regulations is provided below.

- The Bay Conservation and Development Commission (BCDC), pursuant to the **McAteer-Petris Act of 1965**, has responsibility for regulating fill in the Bay and providing access to the Bay. The McAteer-Petris Act gives the BCDC authority to issue or deny permit applications for projects within the first 100 feet inland from the Bay. The BCDC also is directed to prepare the **San Francisco Bay Plan**, which guides the future protection and use of the Bay and its shoreline. The San Francisco Bay Plan has policies regarding Water-Related Industry, and Navigational Safety and Oil Spill Prevention (BCDC 2002b).

- The **County of Contra Costa General Plan** is a comprehensive, long-range planning document stating the County's development and preservation goals and policies. Based on consultation with the County, the Contra Costa County General

Plan would not be applicable to the Proposed Project (extension of the existing lease agreement) because it is in an incorporated area of the city of Martinez and the County does not have policies or regulations directly applicable to marine terminals or oil spills (Contra Costa County 2002).

- The **City of Martinez General Plan** is a comprehensive, long-range planning document stating the City's development and preservation goals and policies. The General Plan addresses all geographic areas of the City and the relationships between social, financial, environmental and physical factors. The General Plan is used to define land use restrictions within the City, which are implemented through the City's Zoning Ordinance.

- The **San Francisco Bay Area Seaport Plan** is a cooperative planning effort of the Metropolitan Transportation Commission and the BCDC. The Seaport Plan guides transportation uses within the San Francisco Bay port system with the goal of maintaining environmental quality and economic vitality.

- **Lempert-Keene-Seastrand Oil Spill Prevention and Response Act of 1990** requires oil spill contingency plans for oil transport related facilities. The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act established the **Office of Spill Prevention and Response (OSPR)**, which is housed within the CDFG. OSPR has the authority to direct oil and product spill response, cleanup, and natural resource damage assessment activities. The BCDC is required to review and comment on the oil spill plan prior to its approval to ensure the protection of environmental resources.

3.5.3 Impacts Analysis and Mitigation Measures

Impact Significance Criteria

Land use impacts were considered significant if the marine terminal operations would result in the following:

- Conflicts with existing or future planned area-wide or local policy issues or plans.
- Incompatible adjacent land uses as defined by planning documentation.
- Residual impacts on sensitive shoreline lands, and/or water and non-water recreation due to a release of oil. Because of the time factor involved in oil dispersion, impacts were considered to be Class I if first response efforts would not contain or cleanup the spill, resulting in residual impacts to shoreline and recreational uses. If a spill occurs that could be contained and cleaned up during first response, that spill would be considered a significant adverse impact (Class II).

3.5.3.1 Shore Marine Terminal Routine Operations and Potential for Accident Conditions

Impact LU-1: Conflicts with Existing or Future Planned Area-Wide or Local Policy Issues or Plans

The Proposed Project would not conflict with any existing or future planned policy issues or plans. Proposed Project impacts with regard to policy inconsistency would be less than significant (Class III).

As described above (Section 3.5.1), the use of the Shore terminal as an industrial facility in an area planned for industrial uses, is consistent with all applicable local and area-wide land use policies and plans. Based on discussions with the applicable agencies and review of existing planning documents, the use of Shore terminal would still be consistent with all applicable land use plans if the proposed 20-year lease extension is approved (City of Martinez 2002; BCDC 2002; Contra Costa County 2003).

Because the Shore terminal is located on sovereign lands under the jurisdiction of the CSLC, the BCDC is the only other agency with land use jurisdiction over the site. The BCDC San Francisco Bay Plan is the most comprehensive planning document for water-related development around the bay. According to the San Francisco Bay Plan, the Shore terminal is designated as Water Related Industry, which is consistent with the Shore terminal. The Shore terminal would continue to be a consistent use if the proposed 20-year lease extension is approved (BCDC 2002).

Over the 20-year period of the lease, it is highly unlikely that any future land use polices or plans would conflict with the Shore terminal. Because applicable planning documents designate the Shore terminal site and surrounding areas for industrial and/or open space uses, which currently exist and are compatible, future planning policies and plans would likely continue to designate the area in a similar manner. Impacts would be less than significant (Class III).

LU-1**:** No mitigation is required.

Impact LU-2: Incompatible Adjacent Land Uses as Defined by Planning Documentation

The Proposed Project would be compatible with adjacent and proximate land uses. Therefore, physical land use adverse impacts resulting from the Proposed Project would be less than significant (Class III).

The existing Shore terminal is currently compatible with all adjacent and proximate land uses. As described above (Section 3.5.2.1), the Shore terminal is not immediately surrounded by any other facilities. The only other facilities within several miles are other heavy industrial uses, which are consistent with all applicable planning documents.

There are no sensitive, incompatible land uses (such as hospitals, retirement communities, or schools) located near the Shore terminal. The nearest residential area is over 1.5 miles to the southwest, across I-680.

The extension of the Shore terminal lease would not create any physical land use incompatibilities, mainly because current activities would continue in the same manner. The Shore terminal would continue to be compatible with all existing surrounding industrial land uses. Based on review of applicable planning documents and discussion with the city of Martinez, it is highly unlikely that any sensitive, incompatible land uses would be developed near the Shore facility over the 20-year period of the lease (City of Martinez 2003).

LU-2: No mitigation is required.

Impact LU-3: Accidental Releases At or Near the Terminal

A number of recreational facilities (designated parks, wildlife preserves, open space, etc.) and recreational uses (nature viewing, boating, fishing, surfing, etc.) are within the potential area that could be impacted by the spread of oil. Shoreline and water-related uses would be disrupted by oil on the shoreline and in the water and could result in significant adverse (Class I and II) impacts.

Impacts from oil releases could degrade the environment and preclude the use of shoreline land and associated recreational activities at the site of the release and the areas affected by the spread of the oil. The degree of impact, however, is influenced by many factors including, but not limited to, spill location, spill size, type of material spilled, prevailing wind and current conditions, the vulnerability and sensitivity of the resource, and response capability.

Spill risk is presented in Section 3.1.3. The greater risk of spills occurs at the Shore terminal, where small spills could occur during normal operations, as well as from leaks at pipe fittings and valves. There is less chance of a spill occurring from a tankering accident; however, such an event generally can result in a much larger and more severe spill.

Crude oil and refined products would be shipped to/from the Shore terminal. Light product spills generally volatize relatively rapidly, and little remains within 24 to 48 hours after a spill. Heavy crude oil may disappear over a period of several days, with remaining heavy fractions lasting from several weeks to several months floating at or near the surface in the form of mousse, tarballs, or mats.

As discussed above (Section 3.5.2), no recreational facilities or activities are directly associated with the Shore terminal; however, there are a number of recreational facilities (designated parks, wildlife preserves, open space, etc.) and recreational uses (nature viewing, boating, fishing, surfing, etc.) associated with the study area. Shoreline and water-related uses would be disrupted by oil on the shoreline and in the water. For a spill at the Shore wharf, tankering would be stopped and operations at the marine

terminal would be stopped for a period of time depending on the amount of oil present and the amount of cleanup required. Additional analysis of impacts on sensitive shoreline biological resources is presented in Section 3.3, Biological Resources.

The capability to immediately respond and deploy appropriate containment booming would also influence the extent of affected shoreline. Response capability is analyzed in Section 3.1, Operational Safety/Risk of Accidents.

Because it is impossible to predict with any certainty the potential consequences of spills, impacts are considered to be adverse and significant (Class I or II), because severe spills could have residual impacts that could affect shoreline and/or recreational uses. Any residual impacts remaining after first response efforts would be considered to be significant adverse impacts (Class I).

Mitigation Measures for LU-3:

LU-3: Mitigation measures for spills at the Shore terminal would be the responsibility of Shore Terminal operations. Specific measures are those presented in Operational Safety/Risk of Upset; Water Quality; Biological Resources; and Commercial and Sport Fisheries.

Rationale for Mitigation: Those measures presented in other sections provide improved oil spill capabilities, oil spill containment measures and protection of resources. With implementation of those measures the risk to shoreline and recreational resources can be reduced to less than significant for small spills.

Residual Impacts: Even with implementation of mitigation for oil spill impacts, land- and water-related recreational uses may be impacted from large spills and impacts would remain significant (Class I).

3.5.3.2 Oil Spills From Vessels In Transit In Bay Or Along Outer Coast

Impact LU-4: Land Use/Recreational Impacts of Oil Spills from Vessels in Transit

Spills that beach along sensitive land use areas or heavily used areas including recreational areas would limit or preclude such uses and result in significant adverse (Class I or II) impacts, depending on the various characteristics of a spill and its residual effects.

Depending on spill size and location, a spill within the Bay and Carquinez Strait shipping lanes could affect tankering and other boating in the vicinity of the spill and its area of spread. In either case, depending on wind and current conditions and size of the spill, shoreline and land and water-recreation uses could be affected. Oil spill modeling conducted for the Unocal terminal (Chambers Group 1994) showed the potential extent of oil spread based on various scenarios of spill size, wind, tide, and current conditions. Given the right conditions, virtually all shoreline areas are vulnerable. Shoreline uses

affected by a spill include marinas and park and recreation uses, as well as other marine terminals and port and harbor operations. Examples include passenger and cargo vessels, commercial fishing vessels, and others that may have to slow, reroute, or halt operations during cleanup and containment. Nearshore uses may also be affected because they may be temporarily closed during cleanup operations for public safety purposes. Land access to coastal areas may also be affected by cleanup operations.

Compared to the Bay, existing land uses and recreational areas along the outer coast are more diverse, ranging from heavily used areas to areas that are undeveloped and fairly inaccessible, especially along the northern coast. Spills that beach along heavily used areas and recreational points would limit or preclude such uses and result in significant adverse (Class I or II) impacts, depending on the various characteristics of a spill and its residual effects. Oil that spreads to beaches, sand dunes, tidepools, shoreline reserves, harbors, marinas, and other recreational boating and fishing facilities would limit access to these areas where there is oil, containment equipment, or cleanup activities. Spills that reach the more remote portions of the shoreline may not necessarily decrease the availability of recreational uses because use may be minimal, but would result in other impacts to biological resources and water quality as discussed in other sections of this EIR. Portions of coastline would also be visually affected by spills as discussed in Section 3.9, Visual Resources.

Over the life of the proposed new lease, as more areas of the coastline are developed or made accessible to the public, the likelihood that an established land use or recreational amenity may be affected by a spill would also increase.

Because it is impossible to predict with any certainty the potential consequences of spills, impacts are considered to be adverse and significant (Class I or II), because severe spills could have residual impacts that could effect shoreline and/or recreational uses. Any residual impacts remaining after first response efforts would be considered to be significant adverse impacts (Class I).

Mitigation Measures for LU-4:

LU-4: Mitigation measures for accidents in the shipping lanes would not be Shore Terminals responsibility, but would fall to the vessel operator/owner. Shore Terminals shall implement measures OS-8a and OS-8b in Operational Safety/Risk of Upset.

Rationale for Mitigation: Response capability for containment and cleanup of land areas oiled is not the responsibility of Shore Terminals for spills in the shipping lanes. However, Shore's participation in VTS upgrade evaluations, and Shore response actions for spills near the terminal help to reduce potential impacts to shoreline and recreational areas. Impacts to these areas near the Shore terminal may be able to be reduced to less than significant.

Residual Impacts: Even with implementation of mitigation for oil spill impacts, land- and water-related recreational impacts would potentially remain significant (Class I).

3.5.4 Alternatives

3.5.4.1 No Project Alternative

Impact LU-5: Effects on Land Use with No New Shore Terminals Lease

The alternative would have no effect on land use at the Shore facility. Risks from spills to shorelines could be transferred to the other marine terminals who would have increased vessels activities. Spills from those facilities could result in significant adverse impacts similar to the Proposed Project. Shore has no responsibility for those facilities.

The No Project Alternative would deny the lease and the close terminal facility. The Shore terminal would eventually be decommissioned or converted to another use, which would require separate environmental review. No significant adverse land use or recreation impacts are anticipated for the decommissioning process.

Under the No Project Alternative, impacts associated with the risk of a tanker oil spill would be similar to existing conditions (see Section 3.5.3.3). The No Project Alternative assumes the number of tankers servicing the area would remain essentially the same due to regional demands, and assumes that without a marine terminal at Shore, incoming tankers would instead go to other nearby terminals. Therefore, the risks associated with the transport of oil would not be removed but simply shifted to other nearby facilities. The localized risk of spill (i.e., risks associated with the specific location and access route to the Shore terminal) impacting shoreline land uses and precluding recreational uses would shift. Impacts at the Shore terminal would not occur as the wharf would not be in use. With no potential for spills in the immediate area, a slight beneficial impact (Class IV) may occur. However, an incremental increase in risk associated with increases in vessel activity at other nearby terminals would result. At those facilities there would be the potential for oil spill impacts similar to the Proposed Project.

As described in Section 2.4.3, the No Project Alternative assumes that other facilities in the area would have the capability to make up for the loss of the Shore terminal. However, if other facilities do not have this capability, they may be required to expand. This document does not examine the potential impacts of a facility expansion because the possibility of such an action is too speculative at this time. Any such expansion activities likely would trigger environmental review at the time of a proposal to expand any other facilities in the area.

LU-5: No mitigation is required.

3.5.4.2 Increased Use of Existing Pipelines for Continued Operation of Upland Facility Alternative

Impact LU-6: Continued Shore Upland Operations via Existing Pipelines

Termination of Shore's lease and the continued use of existing pipelines would not result in land use impacts since the pipelines already exist. Spills from pipelines under Shore's responsibility could contaminate land areas and result in significant (Class I or II) impacts.

This alternative entails the increased use of existing pipelines in the area for transport of petroleum products. Existing pipelines in the area currently transport processed and crude product from marine unloading facilities to various refineries. It is assumed that the other marine facilities in the area would service the tanker traffic that would have otherwise been served by Shore terminal had its lease been renewed. This merely represents a shift in service, and an increase in the amount of petroleum product that moves through these pipelines would continue via other marine facilities in the area. Termination of Shore's lease and the continued use of existing pipelines would not result in any greater land use impacts than what are occurring under existing conditions.

However, it should be noted that existing marine facilities may expand with increased in marine tanker traffic resulting from non-renewal of Shore terminal's lease. This document does not examine the potential impacts of a facility expansion because the possibility of such an action is too speculative at this time. Any such expansion activities likely would trigger environmental review at the time of a proposal to expand by any of the facilities in the area.

The Shore Upland facility may require expansion as a result of increased storage activities associated with this alternative. Expansion on Shore's existing property would be subject to separate CEQA review. However, no land use impacts would be anticipated.

Spills from pipelines could contaminate land and land-based recreational uses. Significant adverse (Class I and II) impacts could result depending on the effectiveness of containment and residual impacts.

Mitigation Measures for LU-6:

LU-6: Adherence to mitigation measures OS-10b and BIO-9a.

Rationale for Mitigation: By application of OS-10b for proper pipeline design, inspection, maintenance and retrofitting; and BIO-9a for preparation of a containment plan, land use impacts can be minimized. Impacts from small spills that can be contained can be reduced to less than significant.

Residual Impacts: Impacts of land use and recreational resources on land can remain significant (Class I) from a large oil spill.

3.5.4.3 Modification to Existing Pipelines for Continued Operation of Upland Facility Alternative

Impact LU-7: Continued Shore Upland Operations via Modifications to Existing Pipelines

Termination of Shore's lease and the use of modified pipelines would not result in land use impacts since the pipelines already exist. Spills from modified pipelines under Shore's responsibility could contaminate land areas and result in significant (Class I or II) impacts.

This alternative entails the reactivation of the unused PG&E fuel oil line. Short-term indirect construction impacts could occur during construction, potentially causing minor disruptions to traffic, local businesses and localized noise levels, but no direct land use impacts. If required, standard construction mitigation measures would reduce impacts to less than significant levels. Use of the reactivated pipeline for petroleum product transport would include the inherent oil spills risks that do not currently exist along the pipeline route. In the event of a large oil spill from a pipeline rupture, land use and recreational impacts would be potentially adverse and significant (Class I and II).

Mitigation Measures for LU-6:

LU-7: Adherence to mitigation measures OS-10b and BIO-9a.

Rationale for Mitigation: By application of OS-10b for proper pipeline design, inspection, maintenance and retrofitting; and BIO-9a for preparation of a containment plan, land use impacts can be minimized. Impacts from small spills that can be contained can be reduced to less than significant.

Residual Impacts: Impacts of land use and recreational resources on land can remain significant (Class I) from a large oil spill.